

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CENTRAL LABORERS' PENSION,
WELFARE AND ANNUITY FUNDS,**

Plaintiffs,

v.

**R. RANDLE CONSTRUCTION, INC., and
RON RANDLE, individually,**

Defendants.

Case No. 08-cv-447-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiffs' Notice of Voluntary Dismissal, Without Prejudice (Doc. 7). As Defendants have not yet filed an Answer or summary judgment motion, Plaintiffs are entitled to a voluntary dismissal without a Court Order, pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)**. Accordingly, the Court hereby **ACKNOWLEDGES** Plaintiffs' voluntary dismissal of its claims against Defendants in this matter. This case is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed this 30th day of October, 2008.

/s/ David R. Herndon

**Chief Judge
United States District Court**